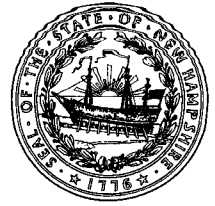




The State of New Hampshire  
**Department of Environmental Services**



Michael P. Nolin  
Commissioner

**LETTER OF DEFICIENCY  
WET 06-042**

May 4, 2006

Mark Morehead  
106 Knight Street  
Cranston, RI 02920

RE: DES Wetlands File #2006-00847, Kearsarge Street, Haverhill

Dear Mr. Morehead:

On May 1, 2006, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above-referenced property, more specifically referenced on Town of Haverhill Tax Map 204 as Lot 313 (the "Property"). The purpose of the inspection was to determine compliance with RSA 482-A and NH Code of Admin. Rules Wt 100-800.

During the inspection the following deficiencies were documented:

1. An area of fill measuring approximately 50' long by 5' wide from excavation activities had encroached on a wetland;
2. No erosion controls were observed between the fill pile and the wetland.

In response, you are requested to take the following actions:

1. Immediately install silt fence in the area between the wetland and at the toe of the fill pile. Install the silt fence pursuant to the enclosed installation instructions.
2. By May 19, 2006:
  - a. Remove the toe of the fill pile on the east side of the foundation (closest to Mountain Lake);
  - b. Re-shape the side slope at such an angle so that the toe of the slope does not enter the wetland, seed the side slope and mulch exposed soils with straw; and
  - c. By May 31, 2006, submit photos, with seed and erosion control receipts, documenting restoration activities to DES.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

*May 4, 2006*

*Page 2 of 2*

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for imposition of civil penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Linda Magoon  
Wetlands Bureau  
Department of Environmental Services  
29 Hazen Drive  
PO Box 95  
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact Linda Magoon at (603) 271-4056 or by e-mail at [lmagoon@des.state.nh.us](mailto:lmagoon@des.state.nh.us).

Sincerely,

A large, stylized 'COPY' stamp is placed over a handwritten signature. The signature appears to be 'Collis G. Adams'.

Collis G. Adams, CWS  
Administrator  
Wetlands Bureau

CERTIFIED MAIL 7005 1820 0005 8303 0156

cc: Rene Pelletier, Asst. Director, Water Division  
Gretchen R. Hamel, Administrator, DES Legal Unit  
Haverhill Conservation Commission and Board of Selectmen  
Mountain Lakes District

USACOE